

Report Date: December 13, 2017

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**DEC 14 2017**

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Antonio Derryl Thomas      Case Number: 0980 2:13CR00045-WFN-1  
Address of Offender:      Spokane, Washington 99207  
Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge  
Date of Original Sentence: September 4, 2013  
Original Offense:      Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1); Felon in Possession of  
Ammunition, 18 U.S.C. § 922(g)(1)  
Original Sentence:      Prison - 48 months      Type of Supervision: Supervised Release  
TSR - 36 months  
Asst. U.S. Attorney: Matthew F. Duggan      Date Supervision Commenced: October 9, 2016  
Defense Attorney: John Barto McEntire, IV      Date Supervision Expires: October 8, 2019

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**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 04/12/2017, 08/30/2017 and 12/06/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

6      **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On October 12, 2016, the undersigned officer reviewed the conditions of supervision with Mr. Thomas, to include special condition number 17. Mr. Thomas signed his judgment, acknowledging an understanding of his conditions of supervised release.

On December 11, 2017, Mr. Thomas attempted to provide a random urinalysis test at Pioneer Human Services, as the color of the day for urinalysis testing was gold, his new assigned color for urinalysis testing. Mr. Thomas stalled and was unable to submit to testing as directed. Mr. Thomas contacted the undersigned officer after the stalled urinalysis test to advise he was unable to submit to testing as directed. Mr. Thomas was informed a urinalysis test would be collected the following day.

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**Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** On October 12, 2016, the undersigned officer reviewed the conditions of supervision with Mr. Thomas, to include special condition number 17. Mr. Thomas signed his judgment, acknowledging an understanding of his conditions of supervised release.

On December 12, 2017, the undersigned officer met with Mr. Thomas at his residence and a urine sample was collected. The urine sample tested presumptive positive for marijuana. Mr. Thomas denied marijuana use and the urine sample was sent to Alere toxicology for further testing. The results are pending.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/13/2017

s/Corey M. McCain

Corey M. McCain  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

  
Signature of Judicial Officer

12/14/17  
Date